

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

HENRY B. WOODFOLK, JR.,)	
)	Civil Action No. 7:22cv00522
Plaintiff,)	
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
CENTRAL VIRGINIA REGIONAL)	
JAIL AUTHORITY, <i>et al.</i> ,)	By: Hon. Thomas T. Cullen
)	United States District Judge
Defendants.)	

Plaintiff Henry B. Woodfolk, Jr., proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. On February 6, 2023, the defendants filed a motion to dismiss and, on February 7, 2023, the court issued a notice pursuant to *Roseboro v. Garrison*, 528 F.2d 309, 310 (4th Cir. 2005). (*See* ECF Nos. 23 & 25.) The *Roseboro* notice gave Woodfolk 21 days to file a response to the motion to dismiss and advised him that, if he did not respond to the defendants’ motion, the court would “assume that [he] has lost interest in the case, and/or that [he] agrees with what the Defendant[s] state[] in their responsive pleading(s).” (Notice, Feb. 7, 2023 [ECF No. 25].) The notice further advised Woodfolk that, if he wished to continue with the case, it was “necessary that [he] respond in an appropriate fashion,” and that if he failed to file responses to the motions within the time allotted, the court “may dismiss the case for failure to prosecute.” (*Id.*)

To date, Woodfolk has not responded to the motion to dismiss and, therefore, the court will dismiss this action without prejudice for failure to prosecute.

The Clerk is directed to send copies of this Memorandum Opinion and the accompanying Order to the parties.

ENTERED this 11th day of May, 2023.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE